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Attorneys for Defendants  
COUNTY OF CONTRA COSTA and  
SHERIFF DAVID LIVINGSTON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

HASAN ARDA AKSU,

Plaintiff,

v.

COUNTY OF CONTRA COSTA,  
SUZANNE PORTER, TERRENCE  
THOMPSON, CHRISTOPHER BUTLER,  
BENNY CHETCUTI, JR., STEPHEN  
TANABE, SHERIFF DAVID  
LIVINGSTON and DOES ONE to FIFTY,  
inclusive,

Defendants.

Case No. C12-4268 EMC

STIPULATION AND [PROPOSED] ORDER  
RE DISMISSAL OF SHERIFF DAVID  
LIVINGSTON AND DISMISSAL OF  
CERTAIN CLAIMS AS TO DEFENDANTS  
COUNTY OF CONTRA COSTA AND  
STEPHEN TANABE

Judge: The Honorable Edward C. Chen  
Crtrm: 5, 17th Floor, San Francisco

The following Stipulation is entered between plaintiff Hasan Arda Aksu and defendants County of Contra Costa and Sheriff David Livingston by and through their attorneys of record.

1. Plaintiff dismisses his Fifth Cause of Action (Unconstitutional Hiring of Deputy Tanabe) and his Sixth Cause of Action (Unconstitutional Policy and Practice (*Monell-Adickes*)) **without prejudice**.

2. Plaintiff dismisses his Eleventh Cause of Action (Negligent Hiring of Deputy Tanabe) **with prejudice**.

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3. Plaintiff has asserted a number of state law claims against defendant County of Contra Costa and its former employee, defendant Stephen Tanabe, specifically the Seventh through Tenth Causes of Action. Plaintiff dismisses **with prejudice** each of these state law claims as to defendants County of Contra Costa and Tanabe.

4. Plaintiff dismisses defendant Sheriff David Livingston **without prejudice** as a party from the above-entitled action.

5. In exchange for the dismissals in paragraphs 1, 2 and 4 above, defendant Sheriff David Livingston waives any costs or fees to date arising from this action.

6. In exchange for the dismissals in paragraphs 1, 2 and 3 above, defendant County of Contra Costa waives any costs or fees to date relating solely to the claims dismissed pursuant to this Stipulation.

Dated: October 22, 2012

THE GEARINGER LAW GROUP

By: /s/ Brian Gearinger  
BRIAN GEARINGER  
Attorneys for Plaintiff  
Hasan Arda Aksu

Dated: October 22, 2012

SHARON L. ANDERSON, County Counsel

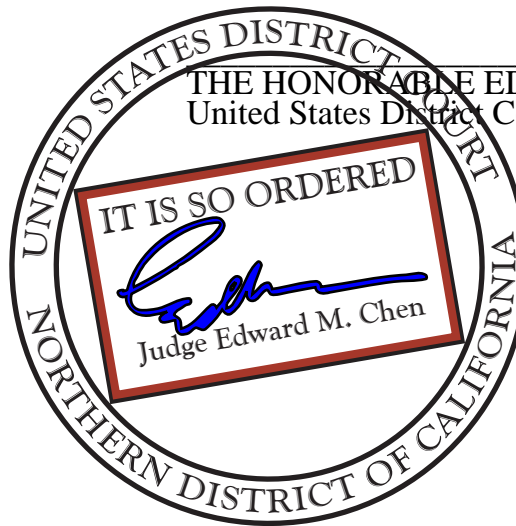
By: /s/  
D. CAMERON BAKER  
Deputy County Counsel  
Attorneys for Defendants  
COUNTY OF CONTRA COSTA  
SHERIFF DAVID LIVINGSTON

**ORDER**

PURSUANT TO STIPULATION, IT IS ORDERED as follows:

1. Plaintiff's Fifth Cause of Action and his Sixth Cause of Action are dismissed **without prejudice**.
2. Plaintiff's Seventh through Tenth Causes of Action are dismissed **with prejudice** as to defendants County of Contra Costa and Tanabe.
3. Plaintiff's Eleventh Cause of Action is dismissed **with prejudice**.
4. Sheriff David Livingston is dismissed **without prejudice** as a party to this action.

Dated: 10/26, 2012



THE HONORABLE EDWARD M. CHEN  
United States District Court Judge